

Alphonse Fletcher, Jr.  
188 Minna Street  
San Francisco, CA

January 26, 2015

**BY ECF FILING AND EMAIL**

The Honorable Analisa Torres  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Proceeding *pro se*, I reply to the Fletcher International, Ltd. Trustee/Plan Administrator's motion to dismiss this appeal. I am not an attorney and I have been unable to retain an attorney to assist in the preparation of a reply to the highly technical, procedural arguments made in the Trustee's motion. In opposing the motion, I rely on my letter of January 6, 2015 that describes the flaws that I saw in the Trustee's argument.

Centrally, the Trustee's argument appears to be that no higher court review should be had because if the Trustee has his way 1) the appellant stands to gain nothing and 2) the Trustee rushed to close his settlement with Credit Suisse.<sup>1</sup>

Essentially, the Trustee proposes that no alleged fraud upon the court should be reviewed if the purported fraud would leave the party making the allegation without any recovery or if the Trustee quickly closes the fraudulent transaction. However, The cases he cites do not appear to control a matter where the allegation is fraud upon the court.

Sincerely and respectfully submitted,

/s/ Alphonse Fletcher, Jr.  
Alphonse Fletcher, Jr.

Cc: Mr. Michael Luskin  
Enclosures: In re Mineral Park, Inc. et al billing records  
In re Mineral Park, Inc. press release  
Letter of January 6, 2015 from Alphonse Fletcher, Jr. to Honorable  
Analisa Torres

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<sup>1</sup> Despite the paramount importance of disclosure in these matters, neither the Trustee nor his counsel Luskin Stern disclosed that Luskin Stern has been representing the interests of Credit Suisse, its co-lenders, and their agent *In re Mineral Park, Inc. et al* - 14-11996-KJC. Please see attached billing records of Mercator's financial advisor showing 39 "weekly calls" with Luskin Stern, Credit Suisse, and its co-lenders.

Alphonse Fletcher, Jr.  
188 Minna Street  
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January 6, 2015

**BY ECF FILING AND EMAIL**

The Honorable Analisa Torres  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

I thank the Court for the opportunity to oppose the letter sent the evening of December 24, 2014 by the chapter 11 trustee ("Trustee") of Fletcher International, Ltd. ("Debtor") containing *ad hominem* attacks and bogus issues of standing and mootness ("Trustee's Letter"). In June 2012, Credit Suisse wrongly seized more than \$30 million of the Debtor's assets forcing it to file for chapter 11 protection days later. Instead of "protection," the Debtor suffered grave injury when its faithless "fiduciaries" wrongly transferred its assets for the benefit of the fiduciaries' more favored clients. It is understandable that the Trustee, his advisors, and Debtor's former counsel (collectively the "Fiduciaries") invest so heavily in thwarting a substantive review of these matters on the merits. The record in these proceedings reveals that the Fiduciaries and their allies have connived to violate Federal Rules of Bankruptcy Procedure so brazenly as to beg the question:

"What could have motivated these accomplished professionals to take such personal and professional risks?"

I have standing. The appeal is not moot. The Settlement is less than reasonable and should be rescinded.

- One or more of the pending proceedings may expose the fraud that has been perpetrated upon the Court by the Fiduciaries. If so, assets would be restored to the Debtor provided benefit to all rightful stakeholders including me. Therefore we have standing.<sup>1</sup>
- Contrary to the Trustee's Letter's suggestions the one-sided settlement has not been addressed by the District Court. The Trustee's arrangement would forfeit 100% of the Debtor's claims against Credit Suisse, claims potentially exceeding \$30 million, allows Credit Suisse to maintain millions of claims related to its indirect investment in the Debtor, and calls for the Debtor to pay an additional \$450,000 to Credit Suisse from the Debtor's \$600,000

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<sup>1</sup> The Trustee's Letter cites cases outside of the Second Circuit purporting to claim that

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remaining in the Debtor's account at Credit Suisse. (please see Turner Objection to the Trustee's Settlement with Credit Suisse),

- An arrangement in which the Debtor accepts zero for its claim, permits its adversary to retain its claims against the Debtor, and pays its adversary \$450,000 of its \$600,000 of cash falls below "the lowest point in the range of reasonableness." This is especially so in the absence, as is the case here, of an evidentiary hearing to permit the Fiduciaries to justify their actions against the estate and for their other clients and their statements that contradict documentary records.
- An arrangement that has no evidentiary proof of reasonableness, provides no material value to the Debtor, provides great value to the Fiduciaries' other clients can be rescinded and "will not unravel intricate transactions" or "knock the props out from under the authorization for every transaction that has taken place" or "create an unmanageable, uncontrollable situation for the Bankruptcy Court."

From the start of these proceedings, with the Cash Collateral Order, Amended Cash Collateral Order, and the Credit Suisse Settlement, the Fiduciaries have sought favorable treatment for their client Credit Suisse.<sup>2</sup> The Fiduciaries have mislabeled their arrangements as Rule 9019 "settlements," relying on the flexible standard articulated by the Supreme Court in TMT Trailer Ferry. They have hidden and misrepresented material facts to the Bankruptcy Court. They have downplayed and denied the connections between the Fiduciaries and the Fiduciaries' more favored clients that have benefited at the expense of the Debtor and its true stakeholders.

To aid their efforts and the collateral efforts of those they truly serve, the Fiduciaries have also spent extraordinary amounts of the Debtors' cash making demonstrably false allegations against Debtor and me to distract from the Fiduciaries' brazen violation of their duties. The Trustee's letter sent the evening of December 24, filed with *ad hominen* attacks, misrepresentations, and outright lies exemplifies the Fiduciaries' tactics including misrepresentation of the record.

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<sup>2</sup> From the Trustee's Letter:

The Trustee and Credit Suisse negotiated an amended cash collateral stipulation and order (the "Cash Collateral Order") that was approved by the Court Bankruptcy in November 2012, and resulted in the return of approximately \$1,000,000 in cash and the Helix stock to FILB. [Bankr. Dkt. No. 149.] Pursuant to the Cash Collateral Order, Credit Suisse retained approximately \$600,000 in cash, which it was entitled to withhold to satisfy certain pre-petition legal expenses and secure payment of any post-petition legal expenses. Pursuant to the settlement agreement, Credit Suisse returned the remaining cash — about \$150,000 net of post-petition setoffs — and the parties exchanged limited releases relating to the parties' prime broker relationship."

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- The Trustee's Letter falsely accuses me of "fraudulent conduct" and attempts to mislead this Court into believing that I have been found guilty of some wrongdoing but, in the one trial has been held in all these associated cases, there the Bankruptcy court found no fraud or incompetence (see Associated cases *In re: Soundview Elite et al* Bench Order of January 23, 2014).
- The Trustee's Letter falsely claims that Credit Suisse sold the Debtor's assets at "a better price" than my investment management company "ever obtained when it liquidated FILB's positions in the same stock" but in fact most of the Ion preferred stock was liquidated prior to Credit Suisse's sale and for a profit exceeding \$70 million. This fact and others, hidden by the Fiduciaries from the Bankruptcy Court, must be addressed. They would have been revealed in documents had there been an evidentiary hearing.
- The Trustee's Letter seeks to characterize my efforts in these proceedings by selectively and inaccurately describing some of the United Community Banks settlement objections and appeals. Strikingly, that settlement also called for a massive transfer of value from the Debtor to parties associated with the Fiduciaries as described in my brief for the appeal pending before Judge Sullivan.
- The Trustee falsely claims "Mr. Fletcher has raised these allegations numerous times... Judge Pauley rejected them" however Judge Pauley never rendered a decision on the merits of my allegations. Instead, the Fiduciaries again succeeded in thwarting a review on the merits.
- Finally, the Trustee fails to disclose the maneuvering between the Fiduciaries and the trustee in an associated case to obtain a ruling, which I am appealing [*Ball v. Soundview Composite, Ltd.* 14-cv-8615-GHW], **declaring retroactively** that **non-debtors** could not use their own funds to operate their businesses and oppose the Fiduciaries' wrongdoing without the Bankruptcy Court's approval.

While the Trustee makes false allegations and statements to this Court, argues that I have no standing nor any chance of any recovery, that would only be the case if the Fiduciaries are permitted to avoid the revelations of appellate review and the justice that would result from their being held accountable for their wrongdoing.

Despite the Fiduciaries' success thus far, they failed to provide the Bankruptcy Court with evidence necessary for the Bankruptcy Court make an "informed and independent judgment as to whether a proposed compromise is fair and equitable." Such a judgment, as articulated by the Supreme Court in *TMT Trailer*, requires that:

*the bankruptcy judge has apprised himself of all facts necessary for an intelligent and objective opinion of the probabilities of ultimate success should the compromised claim be litigated. Further, the judge should form an educated estimate of the complexity, expense, and likely duration of such litigation, the possible difficulties of collecting on any judgment which might be*

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*obtained, and all other factors relevant to a full and fair assessment of the wisdom of the proposed compromise. Basic to this process in every instance, of course, is the need to compare the terms of the compromise with the likely rewards of litigation.*

In these cases, the Credit Suisse settlement and others have not been subjected to the scrutiny of an evidentiary hearing. Instead, the Fiduciaries, laboring under fatal conflicts, have made false statements and rushed the transfer of value from the Debtor to those Fiduciaries' more favored clients.

The Trustee argues that my appeal should be dismissed citing "In re: PC Liquidation Corp," which involves a very different settlement.<sup>3</sup> First no event has occurred "that makes it impossible for the court to grant 'any effectual relief whatever' to a prevailing party." The fraudulent nature of causing the Debtor to waive a \$30 million liability while not obtaining a waiver or recovery for the Debtor and causing the Debtor to make additional payments to the party that caused it great harm results in the possibility of very effective relief. The waiver can simply be cancelled. Nor can it be said that "implementation of that relief would be inequitable" because cancellation of such a fraudulent release and waiver causes no prejudice to Credit Suisse.

There has been no "comprehensive change of circumstances" that might impede any remedy granted in the appeal.

- The Trustee wrongly argues that "the *settlement* has closed" (emphasis added) but provides no evidence of such.
- In fact, regardless of the arrangements and actions of the Trustee, there is no *bona fide* settlement, only deception.
- The Trustee seeks to release Credit Suisse from liability exceeding \$30 million, recover none of the estate's damages, and *pay* Credit Suisse additional value.
- The additional value the Trustee is paying Credit Suisse results from an agreement to allow Credit Suisse to keep all of estate's cash remaining at Credit Suisse beyond perhaps \$150,000 which would be paid to the estate.
- The payment to the estate is immaterial and represents less than one-half of one percent of the value of cash and securities that Credit Suisse wrongly seized from the debtor days prior to its chapter 11 filing.

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<sup>3</sup> This case's settlement involves the Debtor granting 75% of its cash held by its adversary to that adversary and releasing that adversary for harms valued in excess of \$30,000,000. The remaining cash is immaterial and the settlement has nothing to do with the ultimate resolution of the chapter 11 case. In re PC Liquidation Corp, however, the settlement had a limited "Challenge Period," involved tens of millions of dollars, and was part of a "Section 363" sale that was integral to the resolution of the case.

The Honorable Analisa Torres  
January 6, 2015

- The payment will have virtually no effect on the Debtor and the Debtor would forgo the opportunity to pursue Credit Suisse now or in the future.

Though not applicable in this context, the “Chateauguy II factors” each fail anyway.

- “The Court can still order effective relief” declaring the Trustee’s arrangement a fraud, rescinding the release the Trustee apparently has granted Credit Suisse. Even if the remaining \$150,000 must be delivered Credit Suisse, it is immaterial.
- The debtor has a plan of “liquidation” not “reorganization” and thus “such relief will not affect “the re-emergence of the debtor as a revitalized corporate entity.” Even if the debtor was to be reorganized the return of perhaps as much as \$150,000 would have no affect on the reorganization and greatly benefit potential recoveries.
- The Trustee’s arrangement by which it abandons claims in excess of \$30 million by paying Credit Suisse \$450,000 is simple and would “will not unravel intricate transactions” or “knock the props out from under the authorization for every transaction that has taken place” or “create an unmanageable, uncontrollable situation for the Bankruptcy Court;”
- Credit Suisse “who would be adversely affected by the modification ha[s] notice of the appeal and an opportunity to participate in the proceedings,” and
- The lack of a stay does not “create[] a situation rendering it inequitable to reverse the order[] appealed from” for the reasons described above, namely the purported settlement is an artifice. In any event, I and my colleague Stewart Turner, “pursued with diligence all available remedies” that each acting *pro se* could pursue, filing objections to the unreasonable settlement, objections to the undisclosed conflicts that led to it, appeals, and seeking stays of all proceedings.<sup>4</sup>

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<sup>4</sup> The Trustee’s letter describes my “relentless” efforts, despite proceeding *pro se*, without the benefit of counsel, to pursue just remedies:

“Mr Fletcher also again raises his claims... has raised these allegations numerous times before the Bankruptcy Court and at least two times before this Court...Mr. Fletcher submitted a letter to the Bankruptcy Court seeking a stay of all proceedings... Mr Fletcher alleges that the Trustee and other fiduciaries to FILB failed to disclose conflicts of interest in the bankruptcy case and sought, among other things, a stay of **all** proceedings (emphasis added).”

Letter from Michael Luskin to The Honorable Analisa Torres of December 24, 2014, pp 1, 2

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January 6, 2015

The Fiduciaries violations of bankruptcy rules, documents available to an evidentiary hearing, and the gross injustice of court-appointed bankruptcy fiduciaries transferring all the value of a chapter 11 estate to the more favored clients of those fiduciaries is an outrage that cannot be tolerated. It offends the integrity of the bankruptcy system. The outrageousness of what has occurred in these cases begs the question: how could this happen? The answer can be found in the response of the high bidder that Credit Suisse rejected:

"Well that explains it, never f--- with the Mafia or billionaires!"

Appellant Brief, page 9

As detailed in my brief in the appeal pending before Judge Sullivan<sup>5</sup>, these associated chapter 11 cases and the wrongdoing within them are the result of parties associated with defendants in a civil rights litigation. In violation of federal, state, and city anti-retaliation law, the defendants swore to destroy my family, and my funds, and me. This vicious violation of the anti-retaliation laws of our city, state, and country and brazen breach of cardinal rules of bankruptcy should not escape the Court's scrutiny through deception and clever use of procedure.

Sincerely and respectfully submitted,

/s/ Alphonse Fletcher, Jr.  
Alphonse Fletcher, Jr.

Cc: Michael Luskin

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<sup>5</sup> Fletcher v Davis, Disgorgement-*Vacateur* Brief, page 1:

"This is an appeal to the United States District Court for the Southern District of New York from the Bankruptcy Court's June 17, 2014 Decision denying a motion for an order vacating retention of chapter 11 fiduciaries and requiring disgorgement of their compensation. Each court-appointed fiduciary serving Fletcher International, Ltd. (together "Fiduciaries" ) represented to the Court that it had "disclose[d] all facts" and connections. No connection could be hidden that "would even faintly color the independence and impartial attitude required by the Code and Bankruptcy Rules." These Fiduciaries, however, hid and even denied representations of and connections to the estate's primary adversaries, parties associated with defendants in a civil rights lawsuit vowing to "destroy" the plaintiffs and their affiliates including Fletcher International, Ltd. Fiduciaries with connections to such parties could have interests "consistent with Defendant Barnes' threat to Fletcher in June 2010 that if Fletcher went ahead and vindicated his rights by filing this lawsuit, the [Dakota] Board would do everything in its power to destroy Fletcher and his reputation in the business community." The Fiduciaries secretly negotiated with those parties for compensation beyond the \$10,000,00 they charged the estate then awarded the majority of the Fletcher International, Ltd. estate to those parties."





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## NEWS RELEASES

**April 26, 2010**

**Mercator Closes Previously Announced US\$130 million of Senior Secured Credit Facilities and Concurrently Issues Notice of Redemption of its 11.5% Senior Secured Notes due February 16, 2012**

VANCOUVER, April 26 /CNW/ - Mercator Minerals Ltd. (the "Company") (TSX - ML) is pleased to announce its wholly-owned subsidiary Mineral Park Inc. has closed the previously announced (see Press Release dated March 31, 2010) US\$130 million in credit facilities (the "Credit Facilities") and has concurrently issued the notice of redemption on May 6, 2010 of the outstanding 11.5% Senior Secured Notes due February 16, 2012.

Société Générale and WestLB AG are the Joint Bookrunners of the Credit Facilities with Lead Arrangers Société Générale (Documentation and Administrative Agent), WestLB AG (Technical Agent), Credit Suisse and Barclays Capital (collectively, the "Lenders").

The Credit Facilities are comprised of a US\$100 million term loan with a one year grace and a five year equal quarterly amortization commencing March 31, 2011 and a final maturity date of March 31, 2016 and a US\$30 million revolving credit facility repayable on the fourth anniversary, subject to an annual extension option at the Lenders' discretion. The Credit Facilities are secured by a guarantee provided by the Company's wholly owned subsidiary Mercator Mineral Park Holdings Ltd. and include mandatory prepayments based on a variable participating interest in free cash flow capped at a maximum of \$30 million as well as other terms, conditions and covenants customarily associated with mining credit facilities. Pricing is initially set at Libor+4.5% per annum (current 3 month Libor rate is .31%) with grid pricing tied to the debt service coverage ratio following the first scheduled repayment of the term loan and completion of Phase II expansion to 50,000tpd. The proceeds of the Credit Facilities will be used to repay the Notes.

The Notice of Redemption states that the Company will redeem the outstanding US\$120 million principal amount of Notes on May 6, 2010 (the "Redemption Date"). A redemption amount of \$1,089.6986 (the "Redemption Price") be paid for each US\$1,000 principal amount of Notes, being an amount equal to the aggregate of i) \$1,050 for each \$1,000 principal amount of Notes plus ii) all accrued and unpaid interest up to but excluding the Redemption Date.

Further details concerning the Notes including the rights of redemption are described in the trust indenture dated February 15, 2007 and supplemental indentures dated June 12, 2008 and July 13, 2009 made between the Company and Computershare Trust Company of Canada, as Trustee. Copies of the indenture and supplemental indentures can be found on SEDAR and hard copies can be obtained from the Trustee.

"We consider this refinancing a milestone in the evolution of Mercator Minerals as a growing mid tier North American copper and molybdenum producer", said Michael Surratt, President & CEO of Mercator Minerals Ltd. "The support of these internationally renowned banks in refinancing our debt on such commercially favorable terms recognizes the operating advances at Mineral Park and the long reserve life. We are also appreciative of the support of our note holders for the funding which allowed Mercator to advance Mineral Park quickly and through one of the worst economic down turns in history."

About Mercator Minerals Ltd.

Mercator Minerals Ltd. is a TSX listed mining company with an experienced management team that has brought the mill expansion at the Mineral Park Mine, one of the largest and most modern copper-moly mining-milling operations in North America to production in less than 2 years. Mercator management is dedicated to maximizing profits at the Mineral Park Mine and the development of the El Pilar copper project in Mexico.

The Toronto Stock Exchange does not accept responsibility for the adequacy or accuracy of this press release.

Forward Looking Information

This press release contains certain forward-looking statements, which include estimates, forecasts, and statements as to management's expectations with respect to, among other things, the use of proceeds, the completion of the transaction, the size and quality of the Company's mineral reserves and mineral resources, future production, capital and mine production costs, demand and market outlook for commodities, and the financial results of the Company and discussions of future plans, projections and objectives. In addition, estimates of mineral reserves and resources may constitute forward looking statements to the extent they involve estimates of the mineralization that will be encountered if a property is developed. These forward-looking statements involve numerous assumptions, risks and uncertainties and actual results may vary. Factors that may cause actual results to vary include, but are not limited to, certain transactions, certain approvals, changes in commodity and power prices, changes in interest and currency exchange rates, inaccurate geological and metallurgical assumptions (including with respect to the size, grade and recoverability of mineral reserves and resources), unanticipated operational difficulties (including failure of plant, equipment or processes to operate in accordance with specifications, cost escalation, unavailability of materials and equipment, delays in the receipt of government approvals, industrial disturbances or other job action, and unanticipated events related to health, safety and environmental matters), political risk, social unrest, and changes in general economic conditions or conditions in the financial markets. These risks are described in more detail in the Annual Information Form of the



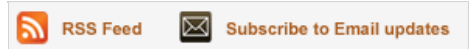
Company. The Company does not assume the obligation to revise or update these forward-looking statements after the date of this report or to revise them to reflect the occurrence of future unanticipated events, except as may be required under applicable securities laws. For a more complete discussion, please refer to the Company's audited financial statements and MD&A for the year ended December 31, 2009 on the SEDAR website at [www.sedar.com](http://www.sedar.com).

You can view the **Next** News Releases item: *Tue May 11, 2010, Mercator Reports Improving Recoveries and Costs at Mineral Park and Completion of Refinancing Package*

You can view the **Previous** News Releases item: *Wed Apr 7, 2010, Mercator Signs Amending Agreement with Silver Wheaton*

You can return to the main **News Releases** page, or press the **Back** button on your browser.

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**EXHIBIT A**

**Details of Hours Expended**

**Evercore Partners**  
**Summary of Services Rendered by Project**  
**From October 25, 2014 - November 24, 2014**

<b>Project Code</b>	<b>Project Description</b>	<b>October 25 - November 24</b>
1	General Case Administration	81.5
2	Due Diligence	-
3	Business Plan and Strategy	-
4	Capital Structure Review and Analysis	-
5	Financing	-
6	Asset Sales and Other M&A Activity	265.0
7	Plan of Reorganization	-
8	Board Communication	-
9	Creditor/Vendor Communication	122.0
10	Employee Severance and Compensation	-
11	Expert Testimony	-
12	Travel	-
13	Evercore Retention	-
<b>TOTAL HOURS</b>		<b>468.5</b>

**Summary of Services Rendered by Professional**  
**From October 25, 2014 - November 24, 2014**

<b>Name</b>	<b>October 25 - November 24</b>
Lloyd Sprung, Senior Managing Director	27.5
Jose Miguel Smith, Managing Director	24.5
Wynn Housel, Managing Director	58.5
Scott Meyer, Vice President	102.5
Avinash D'Souza, Vice President	28.0
Marta Soler, Associate	108.5
Mariya Pojidaev, Senior Analyst	77.0
Brandon Zhang, Analyst	16.0
Matthew Greenberg, Analyst	26.0
<b>TOTAL HOURS</b>	<b>468.5</b>

**Mineral Park**  
Time Detail  
Evercore Partners  
*Lloyd Sprung, Senior Managing Director*

Date	Work Done	Hour	Project #
10/27/2014	Review of Sale Process Round I Bid Summary	1.0	6
10/28/2014	Internal discussion about first round bids	0.5	6
10/28/2014	Review of Company 26-week liquidity forecasts and emails with team	0.5	1
10/29/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
10/29/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Bardays, Portigon, Credit Suisse and Luskini, Stern & Eisler to discuss sale process updates	1.0	9
10/29/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	9
10/30/2014	Review bid procedures motion document	0.5	6
10/31/2014	Call with Pachulski to discuss bid procedures	0.5	6
10/31/2014	Review bid procedures motion document	0.5	6
10/31/2014	Emails with internal team on sale process strategy	0.5	6
11/1/2014	Internal call with Evercore team to discuss the first round bids received	1.0	1
11/2/2014	Call with the Company, FTI and Pachulski to discuss the first round bids received	2.0	1
11/2/2014	Review of Sale Process Timeline	1.0	6
11/3/2014	Call with SocGen, Bardays, Portigon, Credit Suisse and Luskini, Stern & Eisler to discuss the first round bids received and sale process timeline	2.0	9
11/3/2014	Review of Company liquidity forecasts and emails with team	0.5	1
11/3/2014	Review of Round II Sale Process Letter	1.0	1
11/3/2014	Review of internally prepared Bid Summary Presentation to Lenders	1.0	6
11/4/2014	Follow-up call with SocGen, Bardays, Portigon, Credit Suisse and Luskini, Stern & Eisler to discuss the sale process timeline	2.0	9
11/4/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	1
11/5/2014	Call with SocGen and Evercore to discuss sale process timeline	2.0	9
11/5/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
11/10/2014	Review of Company liquidity forecasts and emails with team	0.5	1
11/10/2014	Review of Evercore monthly fee application	1.0	1
11/12/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
11/12/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Bardays, Portigon, Credit Suisse and Luskini, Stern & Eisler to discuss sale process updates	1.0	9
11/12/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	9
11/12/2014	Emails with internal team on sale process strategy	0.5	1
11/17/2014	Review of Company liquidity forecasts and emails with team	0.5	1
11/19/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
11/19/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Bardays, Portigon, Credit Suisse and Luskini, Stern & Eisler to discuss sale process updates	1.0	9
11/19/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	9
11/19/2014	Emails with internal team on sale process strategy	0.5	6
11/24/2014	Review of Company liquidity forecasts and emails with team	0.5	1
<b>Total Hours</b>		<b>27.5</b>	

**Mineral Park**

## Time Detail

## Evercore Partners

*Jose Miguel Smith, Senior Managing Director*

<b>Date</b>	<b>Work Done</b>	<b>Hour</b>	<b>Project #</b>
10/29/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
10/29/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Bardays, Portigon, Credit Suisse and Luskini, Stern & Eisler to discuss sale process updates	1.0	9
10/29/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	9
10/30/2014	Call with the Company, FTI, and Pachulski to discuss management responsibilities for data room collection	1.0	1
10/30/2014	Call with Prospective Buyers of Mine	1.0	6
10/31/2014	Call with Prospective Buyers of Mine	1.0	6
11/1/2014	Internal call with Evercore team to discuss the first round bids received	1.0	1
11/2/2014	Call with the Company, FTI and Pachulski to discuss the first round bids received	2.0	1
11/3/2014	Call with SocGen, Bardays, Portigon, Credit Suisse and Luskini, Stern & Eisler to discuss the first round bids received and sale process timeline	2.0	9
11/3/2014	Worked on preparation of sale process Round II Letter to prospective buyers	1.0	6
11/4/2014	Follow-up call with SocGen, Bardays, Portigon, Credit Suisse and Luskini, Stern & Eisler to discuss the sale process timeline	2.0	9
11/4/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	1
11/5/2014	Call with Prospective Buyers of Mine	1.0	6
11/5/2014	Call with SocGen and Evercore to discuss sale process timeline	2.0	1
11/5/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
11/6/2014	Distributed Round II sale process materials to bidders of Mine	1.0	6
11/6/2014	Call with Zolfo Cooper regarding sale process progress	1.0	6
11/11/2014	Review presentation for weekly sales process update to SocGen, Bardays, Portigon, Credit Suisse	0.5	9
11/12/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
11/12/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Bardays, Portigon, Credit Suisse and Luskini, Stern & Eisler to discuss sale process updates	1.0	9
11/12/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	9
11/18/2014	Review presentation for weekly sales process update to SocGen, Bardays, Portigon, Credit Suisse	0.5	6
11/19/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
11/19/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Bardays, Portigon, Credit Suisse and Luskini, Stern & Eisler to discuss sale process updates	1.0	9
11/19/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	9
<b>Total Hours</b>		<b>24.5</b>	

**Mineral Park**  
Time Detail  
Evercore Partners  
*Wynn Housel, Senior Managing Director*

Date	Work Done	Hour	Project #
10/27/2014	Call with Company and FTI to discuss the Company's Life of Mine Model	0.5	6
10/27/2014	Round I Bid Summary, Round II Process Letter Preparation	2.0	6
10/28/2014	Round I Bid Summary, Round II Process Letter Preparation	6.0	6
10/28/2014	Call with Company and FTI to discuss the Company's Life of Mine Model	0.5	6
10/29/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
10/29/2014	Weekly standing call with Evercore, Company, FTI, Padhulski, SocGen, Bardays, Portigon, Credit Suisse and Luskini, Stern & Eisler to discuss sale process updates	1.0	9
10/29/2014	Weekly standing call with Evercore, FTI, Padhulski and Stinson Leonard to discuss sale process updates	0.5	1
10/30/2014	Call with the Company, FTI, and Padhulski to discuss management responsibilities for data room collection	1.0	1
10/30/2014	Call with Prospective Buyers of Mine	1.0	1
10/31/2014	Call with Prospective Buyers of Mine	1.0	1
11/1/2014	Internal call with Evercore team to discuss the first round bids received	1.0	1
11/2/2014	Call with the Company, FTI and Padhulski to discuss the first round bids received	2.0	1
11/3/2014	Call with SocGen, Bardays, Portigon, Credit Suisse and Luskini, Stern & Eisler to discuss the first round bids received and sale process timeline	2.0	9
11/3/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	4.0	6
11/4/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	1.0	6
11/4/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	1.0	6
11/4/2014	Follow-up call with SocGen, Bardays, Portigon, Credit Suisse and Luskini, Stern & Eisler to discuss the sale process timeline	2.0	9
11/4/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	1
11/5/2014	Call with SocGen and Evercore to discuss sale process timeline	2.0	9
11/5/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
11/6/2014	Distributed Round II sale process materials to bidders of Mine	6.0	6
11/6/2014	Call with Padhulski to discuss the asset purchase agreement	1.0	6
11/11/2014	Reviewed presentation for weekly sales process update to SocGen, Bardays, Portigon, Credit Suisse	2.0	9
11/12/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
11/12/2014	Weekly standing call with Evercore, Company, FTI, Padhulski, SocGen, Bardays, Portigon, Credit Suisse and Luskini, Stern & Eisler to discuss sale process updates	1.0	9
11/12/2014	Weekly standing call with Evercore, FTI, Padhulski and Stinson Leonard to discuss sale process updates	0.5	1
11/12/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	1
11/17/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	1
11/17/2014	Call with Evercore, Company management, and FTI to discuss net working capital adjustments for bid proposals	1.0	1
11/18/2014	Reviewed presentation for weekly sales process update to SocGen, Bardays, Portigon, Credit Suisse	2.0	9
11/18/2014	Reviewed presentation for weekly sales process update to SocGen, Bardays, Portigon, Credit Suisse	2.0	9
11/19/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
11/19/2014	Weekly standing call with Evercore, Company, FTI, Padhulski, SocGen, Bardays, Portigon, Credit Suisse and Luskini, Stern & Eisler to discuss sale process updates	9.0	9
11/19/2014	Weekly standing call with Evercore, FTI, Padhulski and Stinson Leonard to discuss sale process updates	0.5	1
<b>Total Hours</b>		<b>58.5</b>	



**Mineral Park**  
Time Detail  
Evercore Partners  
*Scott Meyer, Vice President*

<u>Date</u>	<u>Work Done</u>	<u>Hour</u>	<u>Project #</u>
10/26/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	1.0	6
10/27/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	1.0	6
10/27/2014	Call with Company and FTI to discuss the Company's Life of Mine Model	0.5	6
10/27/2014	Round I Bid Summary, Round II Process Letter Preparation	2.0	6
10/28/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	2.0	6
10/28/2014	Round I Bid Summary, Round II Process Letter Preparation	6.0	6
10/28/2014	Call with Company and FTI to discuss the Company's Life of Mine Model	0.5	6
10/29/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
10/29/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Bardays, Portigon, Credit Suisse and Luskin, Stern & Eisler to discuss sale process updates	1.0	9
10/29/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	1
10/30/2014	Call with the Company, FTI, and Pachulski to discuss management responsibilities for data room collection	1.0	1
10/30/2014	Call with Prospective Buyers of Mine	1.0	1
10/31/2014	Call with Prospective Buyers of Mine	1.0	1
11/1/2014	Prepared Sale Process Round I Bid Summary Presentation	6.0	6
11/1/2014	Internal call with Evercore team to discuss the first round bids received	1.0	1
11/2/2014	Call with the Company, FTI and Pachulski to discuss the first round bids received	2.0	1
11/3/2014	Call with SocGen, Bardays, Portigon, Credit Suisse and Luskin, Stern & Eisler to discuss the first round bids received and sale process timeline	2.0	9
11/3/2014	Worked on Sale Process Round II Process Letter	2.0	6
11/3/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	4.0	6
11/4/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	1.0	6
11/4/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	1.0	6
11/4/2014	Follow-up call with SocGen, Bardays, Portigon, Credit Suisse and Luskin, Stern & Eisler to discuss the sale process timeline	2.0	9
11/4/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	1
11/5/2014	Call with SocGen and Evercore to discuss sale process timeline	2.0	9
11/5/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
11/6/2014	Distributed Round II sale process materials to bidders of Mine	6.0	6
11/6/2014	Call with Pachulski to discuss the asset purchase agreement	1.0	6
11/7/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	2.0	6
11/8/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	0.5	6

**Mineral Park**  
Time Detail  
Evercore Partners  
*Scott Meyer, Vice President*

<u>Date</u>	<u>Work Done</u>	<u>Hour</u>	<u>Project #</u>
11/9/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	0.5	6
11/10/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	1.0	6
10/11/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	2.0	6
11/11/2014	Prepared presentation for weekly sales process update to SocGen, Bardays, Portigon, Credit Suisse	2.0	9
11/12/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
11/12/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Bardays, Portigon, Credit Suisse and Luskin, Stern & Eisler to discuss sale process updates	1.0	9
11/12/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	1
11/12/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	1
11/13/2014	Data room due diligence and site visit logistics interaction with bidders of Mine	2.0	6
11/14/2014	Data room due diligence and site visit logistics interaction with bidders of Mine	2.0	6
11/15/2014	Data room due diligence and site visit logistics interaction with bidders of Mine	2.0	6
11/16/2014	Data room due diligence and site visit logistics interaction with bidders of Mine	2.0	6
11/16/2014	Data room due diligence and site visit logistics interaction with bidders of Mine	2.0	6
11/17/2014	Data room due diligence and site visit logistics interaction with bidders of Mine	2.0	6
11/17/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	1
11/17/2014	Call with Evercore, Company management, and FTI to discuss net working capital adjustments for bid proposals	1.0	1
11/18/2014	Prepared presentation for weekly sales process update to SocGen, Bardays, Portigon, Credit Suisse	2.0	9
11/18/2014	Data room/site visit logistics interaction with bidders of Mine	2.0	6
11/18/2014	Prepared presentation for weekly sales process update to SocGen, Bardays, Portigon, Credit Suisse	2.0	9
11/19/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
11/19/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Bardays, Portigon, Credit Suisse and Luskin, Stern & Eisler to discuss sale process updates	9.0	9
11/19/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	1
11/19/2014	Data room due diligence and site visit logistics interaction with bidders of Mine	2.0	6
11/20/2014	Data room due diligence and site visit logistics interaction with bidders of Mine	2.0	6
11/21/2014	Data room due diligence and site visit logistics interaction with bidders of Mine	2.0	6
11/22/2014	Data room due diligence and site visit logistics interaction with bidders of Mine	2.0	6
11/23/2014	Data room due diligence and site visit logistics interaction with bidders of Mine	2.0	6
11/24/2014	Data room due diligence and discussion with bidders of Mine	2.0	6
<b>Total Hours</b>		<b>102.5</b>	

**Mineral Park**  
Time Detail  
Evercore Partners  
*Avinash D'Souza, Vice President*

<u>Date</u>	<u>Work Done</u>	<u>Hour</u>	<u>Project #</u>
10/28/2014	Call with Company and FTI to discuss the Company's Life of Mine Model	0.5	6
10/29/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
10/29/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Bardays, Portigon, Credit Suisse and Luskin, Stern & Eisler to discuss sale process updates	1.0	9
10/29/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	1
10/30/2014	Review of draft of Bid Procedures Motion	2.0	6
10/30/2014	Call with the Company, FTI, and Pachulski to discuss management responsibilities for data room collection	1.0	1
10/30/2014	Review of Company's 26-week liquidity forecast	0.5	6
10/31/2014	Review of draft of Bid Procedures Motion	1.0	6
11/1/2014	Internal call with Evercore team to discuss the first round bids received	1.0	1
11/2/2014	Call with the Company, FTI and Pachulski to discuss the first round bids received	2.0	1
11/2/2014	Review of Sale Process Timeline	1.0	6
11/3/2014	Call with SocGen, Bardays, Portigon, Credit Suisse and Luskin, Stern & Eisler to discuss the first round bids received and sale process timeline	2.0	9
11/4/2014	Follow-up call with SocGen, Bardays, Portigon, Credit Suisse and Luskin, Stern & Eisler to discuss the sale process timeline	2.0	9
11/4/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	1
11/5/2014	Call with SocGen and Evercore to discuss sale process timeline	2.0	9
11/5/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
11/6/2014	Review of Company's 26-week liquidity forecast	0.5	6
11/10/2014	Review of Evercore first monthly fee application	1.0	6
11/12/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
11/12/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Bardays, Portigon, Credit Suisse and Luskin, Stern & Eisler to discuss sale process updates	1.0	9
11/12/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	1
11/12/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	1
11/13/2014	Review of Company's 26-week liquidity forecast	0.5	6
11/17/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	1
11/17/2014	Call with Evercore, Company management, and FTI to discuss net working capital adjustments for bid proposals	1.0	1
11/19/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
11/19/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Bardays, Portigon, Credit Suisse and Luskin, Stern & Eisler to discuss sale process updates	1.0	9
11/19/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	1
11/21/2014	Review of Company's 26-week liquidity forecast	0.5	6
<b>Total Hours</b>		<b>28.0</b>	

**Mineral Park**  
**Time Detail**  
**Evercore Partners**  
*Marta Soler, Associate*

<b>Date</b>	<b>Work Done</b>	<b>Hour</b>	<b>Project #</b>
10/26/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	6.0	6
10/27/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	6.0	6
10/27/2014	Call with Company and FTI to discuss the Company's Life of Mine Model	0.5	6
10/27/2014	Prepared Sale Process Round I Bid Summary Presentation, Worked on Round II Sale Process Letter Preparation	4.0	6
10/28/2014	Call with Company and FTI to discuss the Company's Life of Mine Model	0.5	6
10/28/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	4.0	6
10/28/2014	Prepared Sale Process Round I Bid Summary Presentation, Worked on Sale Process Round II Letter Preparation	4.0	6
10/29/2014	Prepared Sale Process Round I Bid Summary Presentation, Worked on Sale Process Round II Letter Preparation	5.0	6
10/29/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
10/29/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Barclays, Portigon, Credit Suisse and Luskini, Stern & Eisler to discuss sale process updates	1.0	9
10/29/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	1
10/30/2014	Call with the Company, FTI, and Pachulski to discuss management responsibilities for data room collection	1.0	1
11/1/2014	Prepared Sale Process Round I Bid Summary Presentation	6.0	6
11/1/2014	Internal call with Evercore team to discuss the first round bids received	1.0	1
11/2/2014	Call with the Company, FTI and Pachulski to discuss the first round bids received	2.0	1
11/3/2014	Call with SocGen, Barclays, Portigon, Credit Suisse and Luskini, Stern & Eisler to discuss the first round bids received and sale process timeline	2.0	9
11/3/2014	Worked on Sale Process Round II Process Letter	2.0	6
11/3/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	4.0	6
11/4/2014	Follow-up call with SocGen, Barclays, Portigon, Credit Suisse and Luskini, Stern & Eisler to discuss the sale process	2.0	9
11/4/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	1
11/4/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	1.0	6
11/4/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	1.0	6
11/4/2014	Prepared prospective buyer itineraries for site visits	1.0	6
11/5/2014	Call with SocGen and Evercore to discuss sale process timeline	2.0	9
11/5/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
11/5/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	6
11/5/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	1.0	6
11/6/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	1.0	6

**Mineral Park**  
Time Detail  
Evercore Partners  
Marta Soler, Associate

<b>Date</b>	<b>Work Done</b>	<b>Hour</b>	<b>Project #</b>
11/7/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	1.0	6
11/8/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	0.5	6
11/9/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	1.0	6
11/10/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	1.0	6
10/11/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	2.0	6
11/11/2014	Prepared presentation for weekly sales process update to SocGen, Barclays, Portigon, Credit Suisse	2.0	9
11/12/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	2.0	6
11/12/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
11/12/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Barclays, Portigon, Credit Suisse and Luskini, Stern & Eislser to discuss sale process updates	1.0	9
11/12/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	1
11/12/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	1
11/13/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	2.0	6
11/14/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	2.0	6
11/15/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	2.0	6
11/16/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	2.0	6
11/16/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	2.0	6
11/17/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	2.0	6
11/17/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	1
11/17/2014	Prepared presentation for weekly sales process update to SocGen, Barclays, Portigon, Credit Suisse	1.0	9
11/17/2014	Call with Evercore, Company management, and FTI to discuss net working capital adjustments for bid proposals	1.0	1
11/18/2014	Prepared presentation for weekly sales process update to SocGen, Barclays, Portigon, Credit Suisse	2.0	9
11/18/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	2.0	6
11/18/2014	Prepared presentation for weekly sales process update to SocGen, Barclays, Portigon, Credit Suisse	2.0	9
11/19/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
11/19/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Barclays, Portigon, Credit Suisse and Luskini, Stern & Eislser to discuss sale process updates	1.0	9
11/19/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	1
11/19/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	2.0	6
11/20/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	2.0	6
11/21/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	2.0	6
11/22/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	2.0	6
11/23/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	2.0	6
11/24/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	2.0	6
<b>Total Hours</b>		<b>108.5</b>	

**Mineral Park**  
Time Detail  
Evercore Partners  
*Mariya Pojidaev, Analyst*

Date	Work Done	Hour	Project #
10/27/2014	Call with Company and FTI to discuss the Company's Life of Mine Model	0.5	6
10/28/2014	Call with Company and FTI to discuss the Company's Life of Mine Model	0.5	6
10/29/2014	Internal call with Evercore team to discuss materials and messaging for weekly call pertaining to Round I bids received	0.5	1
10/29/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Bardays, Portigon, CS and Luskin, Stern & Eisler to discuss sale process updates	1.0	9
10/29/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	9
10/30/2014	Call with the Company, FTI, and Pachulski to discuss management responsibilities for data room collection	1.0	6
11/1/2014	Internal call with Evercore team to discuss the first round bids received	1.0	1
11/2/2014	Call with the Company, FTI and Pachulski to discuss the first round bids received	2.0	1
11/3/2014	Call with SocGen, Bardays, Portigon, Credit Suisse and Luskin, Stern & Eisler to discuss the first round bids received and sale process timeline	2.0	9
11/3/2014	Worked on Sale Process Round II Process Letter	2.0	6
11/4/2014	Follow-up call with SocGen, Bardays, Portigon, Credit Suisse and Luskin, Stern & Eisler to discuss the sale process timeline	2.0	9
11/4/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	6
11/4/2014	Prepared prospective buyer itineraries for site visits	1.0	6
11/5/2014	Call with SocGen and Evercore to discuss sale process timeline	2.0	9
11/5/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	9
11/5/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	9
11/10/2014	Prepared Evercore's First Monthly Fee App	1.0	1
11/12/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	9
11/12/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Bardays, Portigon, CS and Luskin, Stern & Eisler to discuss sale process updates	1.0	9
11/12/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	9
11/12/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	6
11/18/2014	Attended site visit with prospective buyer	11.0	6
11/19/2014	Attended site visit with prospective buyer	11.0	6
11/20/2014	Attended site visit with prospective buyer	11.0	6
11/21/2014	Attended site visit with prospective buyer	11.0	6
11/23/2014	Attended site visit with prospective buyer	11.0	6
<b>Total Hours</b>		<b>77.0</b>	



**Mineral Park**  
Time Detail  
Evercore Partners  
*Brandon Zhang, Analyst*

<b>Date</b>	<b>Work Done</b>	<b>Hour</b>	<b>Project #</b>
10/27/2014	Call with Company and FTI to discuss the Company's Life of Mine Model	0.5	6
10/29/2014	Internal call with Evercore team to discuss materials and messaging for weekly call pertaining to Round I bids	0.5	9
10/29/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Barclays, Portigon, CS and Luskin, Stern & Eisler to discuss sale process updates	1.0	9
10/29/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	9
11/5/2014	Call with SocGen and Evercore to discuss sale process timeline	2.0	9
11/5/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update	0.5	9
11/5/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	9
11/5/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	2.0	6
11/12/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update	0.5	9
11/12/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Barclays, Portigon, CS and Luskin, Stern & Eisler to discuss sale process updates	1.0	9
11/12/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	9
11/12/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	6
11/17/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	6
11/17/2014	Call with Evercore, Company management, and FTI to discuss net working capital adjustments for bid proposals	1.0	6
11/19/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update	0.5	9
11/19/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Barclays, Portigon, CS and Luskin, Stern & Eisler to discuss sale process updates	1.0	9
11/19/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	9
11/20/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	0.5	6
11/21/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	0.5	6
11/24/2014	Collecting, obtaining authorization and uploading relevant documents to the dataroom	0.5	6
<b>Total Hours</b>		<b>16.0</b>	

**Mineral Park**  
**Time Detail**  
**Evercore Partners**  
*Matthew Greenberg, Analyst*

<b>Date</b>	<b>Work Done</b>	<b>Hour</b>	<b>Project #</b>
10/27/2014	Call with Company and FTI to discuss the Company's Life of Mine Model	0.5	6
10/28/2014	Call with Company and FTI to discuss the Company's Life of Mine Model	0.5	6
10/29/2014	Internal call with Evercore team to discuss materials and messaging for weekly call pertaining to Round I bids received	0.5	1
10/29/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Barclays, Portigon, CS and Luskin, Stern & Eisler to discuss sale process updates	1.0	9
10/29/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	9
10/30/2014	Call with the Company, FTI, and Pachulski to discuss management responsibilities for data room collection	1.0	6
11/1/2014	Internal call with Evercore team to discuss the first round bids received	1.0	1
11/2/2014	Call with the Company, FTI and Pachulski to discuss the first round bids received	2.0	1
11/3/2014	Call with SocGen, Barclays, Portigon, Credit Suisse and Luskin, Stern & Eisler to discuss the first round bids received and sale process timeline	2.0	9
11/3/2014	Worked on Sale Process Round II Process Letter	2.0	6
11/4/2014	Follow-up call with SocGen, Barclays, Portigon, Credit Suisse and Luskin, Stern & Eisler to discuss the sale process	2.0	9
11/4/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	6
11/4/2014	Prepared prospective buyer itineraries for site visits	1.0	6
11/5/2014	Call with SocGen and Evercore to discuss sale process timeline	2.0	9
11/5/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	9
11/5/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	9
11/10/2014	Prepared Evercore's First Monthly Fee App	1.0	1
11/12/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	9
11/12/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Barclays, Portigon, CS, and Luskin, Stern & Eisler to discuss sale process updates	1.0	9
11/12/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	9
11/12/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	6
11/17/2014	Call with Evercore, Company management, and FTI to discuss preparation for prospective buyer site visits	1.0	1
11/17/2014	Call with Evercore, Company management, and FTI to discuss net working capital adjustments for bid proposals	1.0	1
11/19/2014	Internal call with Evercore team to discuss materials and messaging for weekly standing lender sale process update call	0.5	1
11/19/2014	Weekly standing call with Evercore, Company, FTI, Pachulski, SocGen, Barclays, Portigon, CS and Luskin, Stern & Eisler to discuss sale process updates	1.0	9
11/19/2014	Weekly standing call with Evercore, FTI, Pachulski and Stinson Leonard to discuss sale process updates	0.5	9
<b>Total Hours</b>		<b>26.0</b>	